United Nations CRC/C/OPAC/VUT/CO/1

Convention on the Rights of the Child

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Committee on the Rights of the Child

Concluding observations on the report submitted by Vanuatu under article 8 (1) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict*

I. Introduction

1. The Committee considered the report of Vanuatu (CRC/C/OPAC/VUT/1) at its 2234th and 2240th meetings (see CRC/C/SR.2234 and 2240), held on 21 and 22 September 2017, and adopted the present concluding observations at its 2251st meeting, held on 29 September 2017.

2. The Committee welcomes the submission of the report of the State party and the written replies to the list of issues (CRC/C/OPAC/VUT/Q/1/Add.1). The Committee also welcomes the constructive dialogue with the multisectoral delegation of the State party, which was successfully held through videoconferencing, a method that was suitable owing to the limited resources of the State party.

3. The Committee reminds the State party that the present concluding observations should be read in conjunction with the concluding observations on the second to fourth periodic reports submitted by the State party under the Convention (CRC/C/VUT/CO/2-4), adopted on 29 September 2017, and on the report of the State party submitted under the Optional Protocol on the sale of children, child prostitution and child pornography (CRC/C/OPSC/VUT/CO/1), also adopted on 29 September 2017.

II. General observations

Positive aspects

4. The Committee welcomes the ratification of, or accession to, the following international instruments by the State party:

(a) The Rome Statute of the International Criminal Court, in December 2011;

(b) The International Labour Organization Worst Forms of Child Labour Convention, 1999 (No. 182), in August 2006;

(c) The Geneva Conventions relating to the protection of victims of international armed conflicts, in October 1982, and Protocols Additional I and II thereto, in February 1985.

* Adopted by the Committee at its seventy-sixth session (11-29 September 2017).

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III. General measures of implementation

A. Comprehensive policy and strategy

5. The Committee is concerned about the absence of a policy for the implementation of the Optional Protocol in the State party.

6. **The Committee recommends that the State party develop a policy for the implementation of the Optional Protocol.**

B. Allocation of resources

7. The Committee is concerned about the lack of specific budget allocations for the implementation of the Optional Protocol in the State party.

8. **The Committee recommends that the State party ensure that sufficient and targeted resources are allocated for the effective implementation of all areas of the Optional Protocol.**

C. Dissemination and awareness-raising

9. The Committee is concerned that the State party has not taken any steps to disseminate the Optional Protocol among the public at large and children in particular.

10. **The Committee urges the State party to widely disseminate the principles and provisions of the Optional Protocol and to establish training programmes on the Optional Protocol for all relevant professionals working for or with children, particularly police officers.**

IV. Prohibition and related matters

A. Criminal legislation and regulations in force

11. The Committee is concerned about the absence in domestic legislation of explicit criminalization of the recruitment or use in hostilities of children under 18 years of age by non-State armed groups.

12. **The Committee recommends that the State party explicitly criminalize in its domestic legislation the recruitment or use in hostilities of children under 18 years of age by non-State armed groups.**

B. Extraterritorial jurisdiction

13. **The Committee, while noting that the State party's legislation provides for extraterritorial jurisdiction over certain crimes, recommends that the State party include the offences under the Optional Protocol in its extraterritorial jurisdiction legislation.**

C. Extradition

14. The Committee is concerned that dual criminality is a requirement for extradition.

15. **The Committee recommends that the State party take steps to ensure that the dual criminality requirement is not applied in cases of extradition for crimes covered by the Optional Protocol and that it include such crimes in any extradition treaties it concludes.**

VI. Protection, recovery and reintegration

Measures adopted to protect the rights of child victims

16. The Committee is concerned at the lack of effective mechanisms to identify, at an early stage, refugee, asylum-seeking and migrant children who enter the State party and may have been recruited or used in hostilities abroad.

17. **The Committee recommends that the State party:**

(a) **Put in place mechanisms to identify, at an early stage, refugee, asylum-seeking and migrant children, including unaccompanied children, coming from countries with past or current armed conflicts and who may have been involved in hostilities;**

(b) **Ensure that the personnel responsible for such identification are trained in children's rights, child protection and interviewing skills;**

(c) **Develop protocols and specialized services to ensure that such children are provided with appropriate assistance for their physical and psychological recovery and social reintegration.**

VII. International assistance and cooperation

International cooperation

18. **The Committee recommends that the State party continue and strengthen its cooperation with the International Committee of the Red Cross and with the Special Representative of the Secretary-General for Children and Armed Conflict, and that it explore increased cooperation with the United Nations Children's Fund (UNICEF) and other United Nations entities in the implementation of the Optional Protocol.**

VIII. Ratification of the Optional Protocol on a communications procedure

19. **The Committee recommends that, in order to further strengthen the fulfilment of children's rights, the State party ratify the Optional Protocol on a communications procedure.**

IX. Implementation and reporting

A. Follow-up and dissemination

20. **The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented, including by transmitting them to the relevant ministries, courts and to local authorities, for appropriate consideration and further action.**

21. **The Committee recommends that the report and the written replies to the list of issues submitted by the State party and the present concluding observations be made widely available, including through the Internet, to the public at large, civil society organizations, youth groups, professional groups and children, in order to generate debate on and awareness of the Optional Protocol and its implementation and monitoring.**

B. Next periodic report

22. **In accordance with article 8 (2) of the Optional Protocol, the Committee requests the State party to include further information on the implementation of the**

Optional Protocol and the present concluding observations in its next periodic report to be submitted in accordance with article 44 of the Convention.